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EXAMINER	
CHOU, ANDREW Y	
ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/619,128	WAIN ET AL.	
	Examiner	Art Unit	
	ANDREW CHOU	2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 January 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,7-12,14-28,30-33 and 38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,7-12,14-28,30-33 and 38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _____ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 3, 7-12, 14-16, 18, 19, 20, 27, and 30 have been amended. Claims 4, 6,13,29, and 34-37 have been cancelled. Claims 1-3, 5, 7-12, 14-28, 30-33, and 38 are pending.

Response to Arguments

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/23/2008 has been entered.

Applicant's arguments with respect to claims 1-3, 5, 7-12, 14-28, 30-33, and 38 have been considered but are moot in view of the new ground(s) of rejection. See Chong et al. US 7,152,229 art made of record below.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 5, 7-12, 14-28, and 30-33, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burkett et al. US 6,678,889 B1 (hereinafter Burkett) in view of Chong et al. US 7,152,229 B2 (hereinafter Chong).

Claim 1:

Burkett discloses a method for designing an application, comprising:

(a) receiving metadata and a policy (see for example column 4, lines 25-32, "Document Type Definitions");

(b) dynamically constructing a user-interface in accordance with the policy (see for example (see for example column 5, lines 43-54, FIG. 2, item 10, administrative console, and related text); and

Burkett does not disclose a method comprising:

(c) creating the application through the user-interface wherein (c) comprises:

(i) creating a representation of the application, the representation having a stage, the stage having at least one component ;and

(ii) compiling the representation of the application in concert with the policy.

However, Chong in the same analogous art of code generation and management, discloses a method comprising:

(c) creating the application through the user-interface wherein (c) comprises:

(i) creating a representation of the application, the representation having a stage, the stage having at least one component (see for example FIG. 6a, and column 11,

lines 21-44, "…application building system….", wherein the application building system builds a workflow model which represents an application with stages, i.e. "blocks"); and

(ii) compiling the representation of the application in concert with the policy (see for example FIG. 6a, item 110, "Workflow Compiler", and associated text). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to implement Burkett with the method taught above by Chong to make the system of updating and creating applications more efficient (see for example Chong, column 4, lines 43-50).

Claim 2:

Burkett further discloses the method of claim 1, wherein the user interface, supports a design surface with a toolbox and wherein the toolbox has a plurality of available components (see for example FIG. 2, and related text).

Claim 3:

Burkett further discloses the method of claim 2, the stage further comprise at least one component selected from. the plurality of available components of the toolbox (see for example column 6, lines 1-17).

Claim 4:

(Canceled)

Claim 5:

Burkett further discloses the method of claim 3, wherein the representation is displayed in a graphical format (see for example FIG. 2; and related text).

Claim 6:

(Canceled)

Claim 7:

Burkett further discloses the method of claim 1, wherein (b) comprises:

(i) categorizing each component to one of a plurality of stages (see for example FIG. 2, and related text).

Claim 8:

Burkett further discloses the method of claim 1, wherein the stage includes a first component and a second Component (see for example column 6, lines 25-39, "...scoping level..."), and wherein (b) comprises:

(i) determining an ordering of the first component and the second component (see for example column 6, lines 40-52, "..hierarchical lists of tasks and resources.").

Claim 9:

Burkett further discloses the method of claim 1, wherein (b) comprises: (i) determining a cardinality of the stage (see for example column 6, lines 40-52, "..hierarchical lists of tasks and resources.").

Claim 10:

Burkett further discloses the method of claim 1, wherein one of the at least one component is associated with a plurality of properties (see for example column 7, lines 5-30, TABLE 1).

Claim 11:

Burkett further discloses the method of claim 10, wherein (c) further comprises: (iii) selecting one of the plurality of Properties (see for example column 7, lines 2- 4, "..data items that may be declared...").

Claim 12:

Burkett further discloses the method of claim 1, wherein (b) comprises: (i) discovering the at least one component that resides on a computer, the computer supporting the user-interface (see for example FIG. 2, and related text).

Claim 13:

(Canceled)

Claim 14:

Burkett further discloses the method of claim 1, wherein the representation of the application is expressed as an extensible markup language.(XML) file (see for example column 5, lines 45-57, "...XML document...").

Claim 15:

Burkett further discloses the method of claim 1, wherein (c) further comprises: (iii) in response to (ii), executing a plurality of computer-executable instructions (see for example FIG. 9, step 102, and related text).

Claim 16:

Burkett further discloses the method of claim 1, wherein (c) further comprises: (iii) determining whether an error exists in the representation (see for example column 8, lines 19-30, FIG. 9. step 108, and related text).

Claim 17:

Burkett further discloses the method of claim 16, wherein (c) further comprises: (iv) in response to (iii), indicating a determined component and a determined stage corresponding to the error (see for example FIG. 9, step 108, "resources found?", and related text).

Claim 18:

Burkett further discloses the method of claim 1, wherein the stage is associated with a plurality of components, and wherein (c) further comprises: (ii) selecting a matched component from the plurality components, the matched component first matching a document being processed (see for example FIG. 2, items 34a, 34b, and related text).

Claim 19:

Burkett further discloses the method of claim 1, wherein the stage is associated with a plurality of components, and wherein (c) further comprises: (ii) determining whether the plurality of components shall be sequentially ordered (see for example column 5, lines 62-64, "... hierarchical list of administrative tasks...").

Claim 20:

Burkett further discloses the method of claim 1, wherein (c) comprises:

(iii) receiving a command from the user (see for example column 7, lines 38-47, FIG. 7, and related text):

(iv) in response to (iii), indicating whether the command corresponds to a permitted operation for manipulating a representation of the application (see for example FIG. 7, and related text).

Claim 21:

Burkett further discloses the method of claim 1, wherein (a) comprises: (i) selecting the policy from a plurality of policies (see for example column 5, lines 43-54).

Claim 22:

Claim 22 is a physical computer-readable medium version of the claimed method step discussed in claim 1 above. Thus, accordingly, this claim would also be unpatentable over Burkett and in view of Chong.

Claim 23:

Claim 23 is a physical computer-readable medium version of the claimed method step discussed in claim 3 above. Thus, accordingly, this claim would also be unpatentable over Burkett and in view of Chong.

Claim 24:

Claim 24 is a physical computer-readable medium version of the claimed method step discussed in claim 12 above. Thus, accordingly, this claim would also be unpatentable over Burkett.

Claim 25:

Claim 25 is a physical computer-readable medium version of the claimed method step discussed in claim 18 above. Thus, accordingly, this claim would also be unpatentable over Burkett.

Claim 26:

Claim 26 is a physical computer-readable medium version of the claimed method step discussed in claim 19 above. Thus, accordingly, this claim would also be unpatentable over Burkett.

Claim 27:

Burkett discloses a system for designing an application, comprising:

a policy module that stores metadata, the metadata representing a set of rules that is associated with the application (see for example Fig. 2, item 10, "console", and related text); a user-interface module that generates a design surface, the design surface specifying the application to create the application (see for example FIGs. 3A, 3B, and column 6, lines 18-24, and related text);

a composition logic module that receives the metadata from the policy module (see for example FIGs. 3A-3B, and related text) and that restrains the design surface to be consistent with the metadata when displaying a representation of the application through the user-interface module (see for example FIG. 2, and related text); and

an input module that receives a command from a user to manipulate the design surface and that updates the design surface, through the composition logic module, in accordance with the command (see for example FIG. 16, item 204, and related text);

Burkett does not disclose a system for designing an application, comprising:
a complier module that is coupled to the policy module and that transforms the representation into a set of computer-executable instructions, the set of computer executable instructions being consistent with the metadata contained in the policy module.

However, Chong in the same analogous art of code generation and management, discloses a a system for designing an application, comprising:

a complier module that is coupled to the policy module and that transforms the representation into a set of computer-executable instructions, the set of computer executable instructions being consistent with the metadata contained in the policy module (see for example Figure 6a, item 110, "Workflow Compiler", and item 100, "XHTML Templates", and associated text). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to implement Burkett with the method taught above by Chong to make the system of updating and creating applications more efficient (see for example Chong, column 4, lines 43-50).

Claim 28:

Burkett further discloses the system of claim 27, wherein the user-interface module comprises a display interface to a video display device, the video display device showing the design surface to the user (see for example FIG. 16, item 203, Display Device, and related text).

Claim 29:

(Canceled)

Claim 30:

Burkett further discloses the system of claim 29, further comprising: an execution engine that executes the set of computer-executable instructions (see for example FIG. 16, item 200, Processor, and related text)

Claim 31:

Burkett further discloses the system of claim 27, further comprising: a memory that stores software (see for example FIG. 16, item 200, and related text), the software

supporting a component, wherein the composition logic rnodule discovers the component and provides a display indicator that is associated with the component (see for example FIG. 16, item 202, Application, and related text).

Clam 32:

Burkett further discloses the system of claim 27, wherein the policy module is co-located with the user-interface module (see for example FIG. 2, and related text).

Claim 33:

Burkett further discloses the system of claim 27, wherein the policy module is remotely located from the user-interface module (see for example FIG. 2, and related text).

Claim 34:

(Canceled)

Claim 35:

(Canceled)

Claim 36:

(Canceled)

Claim 37:

(Canceled)

Claim 38:

Burkett discloses a method for designing an application, comprising:

(a) receiving metadata that is contained in a policy (see for example column 4, lines 25-32, "Document Type Definitions");

(b) dynamically constructing a user-interface in accordance with the policy, the user-interface supporting a design surface for a creation of the application and a toolbox with a plurality of available components(see for example column 5, lines 43-54, FIG. 2, item 10, administrative console, FIGs. 3A, 3B, and column 6, lines 18-24, and related text); Burkett does not disclose a method comprising::

(c) creating a representation of the application, the representation having a stage, the stage having at least one component ;and

(d) compiling the representation of the application in concert with the policy; and

(e) in response to (d), executing a set of computer-executable instructions. However, Chong in the same analogous art of code generation and management, discloses a method comprising:

(c) creating a representation of the application, the representation having a stage, the stage having at least one component (see for example FIG. 6a, and column 11, lines 21-44, "…application building system….", wherein the application building system builds a workflow model which represents an application with stages, i.e. "blocks"); and

(d) compiling the representation of the application in concert with the policy (see for example FIG. 6a, item 110, "Workflow Compiler", and associated text); and (e) in response to (d), executing a set of computer-executable instructions (see for example FIG. 6a, and column 11, lines 21-44, "…application building system….").

It would have been obvious at the time the invention was made to a person of ordinary skill in the art to implement Burkett with the method taught above by Chong to

make the system of updating and creating applications more efficient (see for example Chong, column 4, lines 43-50).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Y. Chou whose telephone number is (571) 272-6829. The examiner can normally be reached on Monday-Friday, 8:00 am - 4:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached on (571) 272-3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed tot eh TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto..qov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

/Andrew Chou/

Examiner, Art Unit 2192

/Tuan Q. Dam/

Supervisory Patent Examiner, Art Unit 2192